

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES - GENERAL

JS-6

Case No.	CV 12-3952-CAS (Ex)	Date	October 22, 2012
Title	MICHELLE CASE V. ROBERT CLIVILLES, ET AL.		

Present: The Honorable	CHRISTINA A. SNYDER
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Catherine Jeang

Not present

N/A

Deputy Clerk

Court Reporter / Recorder

Tape No.

Attorneys Present for Plaintiffs:

Attorneys Present for Defendants

Not present

Not present

Proceedings: (In Chambers:) ORDER TRANSFERRING CASE TO THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF NEW YORK (filed August 31, 2012)

On August 31, 2012, defendants filed a motion to dismiss for lack of personal jurisdiction or alternatively to dismiss or transfer for improper venue. Dkt. No. 11. Defendants contend that neither defendant resides in this district, that all or most of the events that gave rise to plaintiff's claims occurred in New York, and that defendants are not subject to personal jurisdiction in California. Mot. at 7 (citing 28 U.S.C. § 1391(a)). The contract at issue was executed in New York and is expressly governed by the laws of the state of New York. See First Am. Compl. Ex. B ¶ 19.

The Court held a hearing on October 1, 2012. At the hearing, the Court indicated its tentative decision that a transfer venue is warranted, in the interests of justice, because: (1) the events giving rise to plaintiff's claims occurred in New York; (2) defendants are residents of New York or New Jersey; and (3) defendants do not appear to be subject to personal jurisdiction in California. Dkt. No. 14. On October 21, 2012, plaintiff advised the Court she does not object to a transfer to New York. See 28 U.S.C. § 1406(a).

Therefore, the Court adopts its tentative conclusion in full and hereby TRANSFERS this case to the United States District Court for the Southern District of New York.

IT IS SO ORDERED.

Initials of Preparer

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CMJ